

MELINDA S RIECHERT, State Bar No. 65504
ALEXANDER NESTOR, State Bar No. 202795
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306-2212
Tel: 650.843.4000
Fax: 650.843.4001
E-mail: mriechert@morganlewis.com

Attorneys for Defendants
HEWLETT-PACKARD COMPANY

BARRY B. KAUFMAN, ESQ., SBN 113586
LAW OFFICES OF BARRY B. KAUFMAN, APC
16133 Ventura Blvd., Suite 700
Encino, California 91436
Tel: 818.995.9115
Fax: 818.995.9120
E-mail: bbkaufman@earthlink.net

Attorney for Plaintiff
BARRY KLIFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BARRY KLIFF,

Plaintiff,

vs.

HEWLETT-PACKARD COMPANY, a
Delaware Corporation, YVONNE HUNT,
an individual; and DOES 1 through 50,
inclusive,

Defendants.

Case No. C-05-01438 JW

**STIPULATION AND [PROPOSED]
ORDER CONTINUING DISCOVERY
CUT-OFF DATE, EXPERT WITNESS
DISCLOSURE DATES, AND TRIAL
SETTING CONFERENCE DATES**

1 WHEREAS, the parties filed a stipulation on May 4, 2006, requesting that the Court
 2 continue the scheduled expert disclosure and discovery cut-off dates because the parties believed
 3 the case was ripe for Defendant to file a summary judgment motion and it was in their best
 4 interests, as well as the Court's, to litigate Defendant's summary judgment motion before
 5 expending further time and resources completing discovery, including additional depositions and
 6 expert discovery;

7 WHEREAS, the parties proposed that the expert witness disclosure date be moved to
 8 August 18, 2006, the rebuttal expert witness disclosure date to August 28, 2006, and the
 9 discovery cut-off date to September 21, 2006;

10 WHEREAS the Court agreed to the parties' stipulation and signed their proposed order on
 11 May 5, 2006;

12 WHEREAS, Defendant filed its summary judgment motion on June 26, 2006, and
 13 scheduling a hearing date for July 31, 2006;

14 WHEREAS, the Court issued an Order on June 28, 2006, continuing the hearing date until
 15 September 25, 2006 due to its unavailability;

16 WHEREAS, the Court granted Plaintiff's motion to enlarge time in which to file his
 17 opposition to Defendant's summary judgment motion and continued the hearing date on
 18 Defendant's summary judgment motion to October 2, 2006;

19 THEREFORE, the parties stipulate and hereby respectfully request that the Court issue an
 20 order continuing the following dates as indicated so that the parties can litigate Defendant's
 21 summary judgment motion before expending further time and resources completing discovery,
 22 including additional depositions and expert discovery:

- 23 1) Last day for designated expert witnesses to produce their Rule 26 Reports is
- 24 October 23, 2006;
- 25 2) Last day for Fact Discovery and Expert Discovery is November 22, 2006;
- 26 3) Last day to file/lodge the Preliminary Pretrial and Trial Setting Conference
- 27 Statement and Proposed Order with chambers is December 8, 2006;
- 28 4) The Preliminary Pretrial and Trial Setting Conference is December 18, 2006.

SEP-08-2006 FRI 01:43 PM MORGAN LEWIS

FAX NO. 8508437771

P. 04

MORGAN, LEWIS & BOCKIUS LLP

DATED: 9/8/06
Alexander NestorAttorneys for Defendant Hewlett-Packard
Company


LAW OFFICES OF BARRY B. KAUFMAN, APC

DATED: 9/8/06
Barry B. Kaufman

Attorney for Plaintiff Barry Kliff

ORDER

Pursuant to the parties' STIPULATION, and GOOD CAUSE having been shown therefor,
IT IS SO ORDERED:

DATED: 9/12/06
The Honorable James Ware
United States District Judge